

PATENT

ROC91996054L IBM/02B)  
Confirmation No. 9272

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 09/431,833 is being electronically transmitted to Technology Center 3621, via EFS-WEB, on February 16, 2009.

/Scott A. Stinebruner/  
Scott A. Stinebruner, Reg. No. 38,323

February 16, 2009  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                  |  |           |                   |
|------------------|--|-----------|-------------------|
| Applicant:       | Joseph Phillip Bigus et al.  | Art Unit: | 3621              |
| Application No.: | 09/431,833   | Examiner: | Andrew J. Fischer |
| Filed:           | November 2, 1999   |           |                   |
| For:             | INTELLIGENT AGENT WITH NEGOTIATION CAPABILITY AND<br>METHOD OF NEGOTIATION THEREWITH |           |                   |

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**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION  
UNDER 37 CFR 1.137(B)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby Petitions for Revival of the above-identified patent application, pursuant to 37 CFR 1.137(b). Applicant is of the belief that the patent application may have unintentionally went abandoned based upon a failure to reply to the new grounds of rejection set forth in the Examiner's Answer dated December 9, 2008, for which a reply was due on February 9, 2009, two months from the date of the Examiner's Answer.

Enclosed herewith is a Reply to the Examiner's Answer, which constitutes a request to reopen prosecution of the above-identified patent application pursuant to 37 CFR 41.39(b)(1), and which complies with the requirement to submit a reply pursuant to 37 CFR 1.137(b)(1).

Also submitted herewith are the required petition fee as set forth in 37 CFR 1.17(m), as required by 37 CFR 1.137(b)(2).

Pursuant to 37 CFR 1.137(b)(3), Applicant states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicant believes that no terminal disclaimer is required by 37 CFR 1.137(b)(4), as this application is neither a design application, nor was filed before June 8, 1995.

Applicant therefore respectfully submits that all requirements for a Petition to Revoke under 37 CFR 1.137(b) have been met, and that the petition should be granted, and this application passed to the Examiner for consideration of the enclosed Reply.

If there are any questions regarding the foregoing, please contact the undersigned at 513/241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

February 16, 2009  
Date

/Scott A. Stinebruner/  
Scott A. Stinebruner  
Reg. No. 38,323  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234